IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO. 4476 OF 2004

IN

CRIMINAL APPEAL NO. 575 OF 2004

Shivaji @ Shiva Sitaram Beturkar ..... Appellant.

versus

The State of Maharashtra ..... Respondents.

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Shri A.P.Mundargi for the appellant.
Mrs. P.H.Kantharia APP for the State.

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CORAM ; V.G.PALSHIKAR &
ANOOP V. MOHTA, JJ.

DATED; 4TH NOVEMBER, 2004.

P.C.;

1. By this application, the applicant, the original accused no.2, seeks release on bail.

2. The incident is of 1991 and the accused along with other accused persons were tried for several offences like section 147, 148, 149, 337. 323, 120-B, 302 and 307 of UIPC. After recording of the evidence the learned trial Judge has convicted the accused and the appeal is pending.

3. The present applicant was on bail during the pendency of the trial. Affidavit in reply does not show misuse of that bail for a period of ten years by the accused. The apprehension expressed in the affidavit that he may now pressurise the eye witnesses is ill-founded. We see no reason why the accused should not be released on bail. Hence it is directed that he be released on bail in the sum of Rs. 50,000/- with two sureties in the like amount.

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